REMARKS

This document is submitted in response to the Office Action dated September 11, 2006 ("Office Action").

Applicant has amended claim 1. Support for the amendment can be found in the Specification, e.g., at pages 11-12. Applicant has also canceled claim 2. No new matter has been introduced.

Upon entry of the proposed amendment, claims 1 and 3-6 will be under examination. Reconsideration of these claims is requested in view of the following remarks.

Enablement

Claims 1-6 are rejected as lacking enablement. See page 3, lines 13-16. Claim 2 has been cancelled.

Applicant will address independent claim 1 first. Claim 1 covers recombinant baculoviruses A1, A2, A3, C4, 1028, 1044, 1053, 1071, 1081, 1085, 1091, 1094, 3058, 3074, PN8, PN9, PN19, PN23, PN24, and PN121 that have an intact p35 gene, and infect permissive host cells without lyzing the cells.

The Examiner points out that, since the 20 recombinant baculovirus clones recited in claim 1 are produced by random mutagenesis and uncharacterized molecularly, a deposit of all 20 clones is required to enable others to practice the invention. See the Office Action, pages 3-4, bridging paragraph.

Claim 1 has been amended to recite the recombinant baculovirus clones C4 and 1081. Both of the clones have been deposited at the China Center for Type Culture Collection ("CCTCC"), as evidenced by the attached Declaration of Availability.

Accordingly, amended claim 1 is enabled. As claims 3-6 depend from claim 1, they are enabled for at least the same reasons.

Written description

Claims 1-6 are rejected as lacking written description. See the Office Action, page 2, lines 16-20. Claim 2 has been canceled.

Applicant will again address claim 1 first. The Examiner asserts that, as the Specification only discloses the host cell Sf21 while claim1 reads on "recombinant baculoviruses being able to infect any ... host cells without lyzing said ... host cells," claim 1 is not supported by written description. See the Office Action, page 3, lines 4-9.

Amended claim 1 clearly does not read on all recombinant baculovirus clones capable of non-lytic infection. It is only drawn to **C4 and 1081**, the two specific clones disclosed in the Specification and deposited at the CCTCC. If these clones are capable of infecting cells other than Sf21 without lysis, the ability would simply be the inherent property of the clones. Further, it would be infringement for others to use C4 or 1081 in any manner without permission, whether it is to infect Sf21 or other host cells. Reciting specific host cells will serve no purpose, and the failure to do so will not broaden the claim any further. Accordingly, claim 1 is adequately described.

The Examiner also points out that the term "permissive host cells" is not disclosed in the Specification, and therefore, is new matter. See page 3, lines 10-12. Claim 1 has been amended to recite "host cells" in place of "permissive host cells," rendering the rejection moot.

In view of the above remarks, Applicant submits that amended claim 1 is described. As claims 3-6 depend from claim 1, they are also described for at least the same reasons.

CONCLUSION

Based on the foregoing remarks, Applicant submits that the pending claims are both enabled and described. Thus, allowance of this application is proper, and early favorable action is solicited.

Enclosed is a $60 check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

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